

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION
IN ADMIRALTY

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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CLERK

SO. DIST. OF GA.

DHL PROJECT & CHARTERING
LIMITED

Plaintiff,

vs.

NEWLEAD HOLDINGS LTD.,
NEWLEAD SHIPPING S.A.,
NEWLEAD BULKERS S.A.
NEWLEAD CASTELLANO LTD.,
GRAND VENETICO INC.,
NEWLEAD VENETICO LTD.

Defendants.

CIVIL ACTION FILE
NO. _____

CV 416 - 123

**ORDER OF ISSUANCE OF PROCESS OF
MARITIME ATTACHMENT AND GARNISHMENT**

Upon consideration of DHL Project & Chartering Limited ("DHL")'s Verified Complaint for Maritime Attachment and Garnishment and supporting affidavits thereto, filed herein on the 25th day of May, 2016, and good cause appearing therefore, it is, by the United States District Court for the Southern District of Georgia:

ORDERED that the Clerk of this Court is directed forthwith to issue the Process of Maritime Attachment and Garnishment for seizure of all tangible and intangible property of the Defendants, as described therein, including, but not limited to, any property in which the Defendants have a direct or beneficial interest, including, but not limited to, the vessel M/V NEWLEAD CASTELLANO, any cargoes, cash, funds, escrow funds, debts, credits, wire

transfers, electronic funds transfers, accounts, letters of credit, freights, sub-freights, charter hire, subcharter hire, and/or any other assets of, belonging to, due or being transferred to, from, or for the benefit of the Defendants (hereinafter, "Assets"), including, but not limited to, such Assets as may be held, received, or transferred for their benefit at, through, or within the possession, custody, or control of banking institutions and/or other institutions and/or such other garnishee(s) on whom a copy of the Process of Maritime Attachment and Garnishment may be served, in the amount of \$14,303,762.90 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure in respect to the claim against the Defendants, as identified in the Verified Complaint and as specified in the Process; and it is

FURTHER ORDERED, that any person claiming an interest in the property attached or garnished pursuant thereto may, upon a showing of any improper practice or a manifest want of equity on the part of Plaintiff, be entitled to an order requiring Plaintiff to show cause forthwith why the attachment should not be vacated; and it is

FURTHER ORDERED, that a copy of this order be attached to and served with the said Process of Maritime Attachment and Garnishment; and it is

FURTHER ORDERED, that supplemental process enforcing the Court's Order may be issued and served without further Order of the Court; and it is

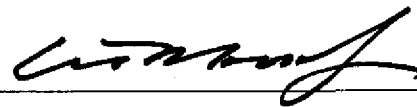
FURTHER ORDERED, that the vessel M/V NEWLEAD CASTELLANO shall be deemed attached pursuant to Rule B when a copy of this order is served with the said Process of Maritime Attachment and Garnishment by the U.S. Marshal upon the M/V NEWLEAD CASTELLANO or by service of on a substitute custodian by DHL via verifiable electronic means including, but not limited to, email; and it is

FURTHER ORDERED, that DHL shall not be responsible for any portion of Custodia Legis expenses unless and until a copy of this order and said Process of Maritime Attachment and Garnishment is served upon the M/V NEWLEAD CASTELLANO by the U.S. Marshal or a copy of this order is served upon the substitute custodian by DHL via verifiable electronic means including, but not limited to, email; and it is

FURTHER ORDERED, that DHL's share of custodia legis costs, if any, shall begin to accrue at the time a copy of this order and said Process of Maritime Attachment and Garnishment is served upon the M/V NEWLEAD CASTELLANO by the U.S. Marshal or a copy of this order is served upon the substitute custodian by DHL via verifiable electronic means including, but not limited to, email.

SO ORDERED

Dated: May ²⁴~~25~~, 2016



United States District Judge